IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 4386 of 1994

Between:
Sende Bondyalu S/o.Bhima
R/o.Khirdi Village Wankdi Mandal
Adilabad District

.....
PETITIONER

AND
1 State of Andhra Pradesh through its Secretary
Social Welfare Department at Secretariat, Hyderabad
2 The District Collector Adilabad District at Adilabad
3 The Mandal Revenue Officer Wankdi Mandal, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or writs order or direction declaring and setting aside the order Dt.7.3.1994 issued in procgs. No.A/135/94 on the file of the third respondent as illegal and arbitrary, by further directing the respondents not to interfere with the possession of the petitioner over the land bearing Sy.No.65 admeasuring Ac.6.13 guntas situated at Gatjangaon village, Wankdi Mandal, Adilabad District award costs, and pass such other order.

Counsel For the Petitioner: MR.K.RAGHUVEER REDDY

Counsel For the Respondents: GP FOR REVENUE

The Court Made the Following :

ORDER: -

Heard the learned counsel for the petitioner. The petitioner

challenges the notice given to him, by which he was asked to give acceptance for selling his land to the respondents. While entertaining the writ petition, this Court has stayed the operation of the notice.

In the Counter-affidavit it is stated that there were floods in the area, the petitioner is a landlord and some of his land was identified to be acquired to provide house sites to those who were affected by the floods. Since this was a matter of urgent nature, therefore the respondents had proposed to purchase the land of the petitioner.

In this view of the matter, I dispose of the Writ petition directing the respondents not to take over the possession except through due process of law. If they require the land, they may negotiate or acquire the land in terms of the Land Acquisition Act.

1.7.2004

Glv

To

1 The Secretary, Social Welfare Department at Secretariat, Government of Andhra Pradesh Hyderabad

2 The District Collector Adilabad District at Adilabad

3 The Mandal Revenue Officer Wankdi Mandal, Adilabad District.

4. 2 CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

5. Two C.D.Copies.